



IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MELVIN NELSON,

Defendant.

) Criminal No. 119-CR-145 (TM)

) **Indictment**

) Violation: 21 U.S.C. §§ 841(a)(1),
(b)(1)(B)
) [Possession with Intent to
) Distribute a Controlled
) Substance (Cocaine Base)]

) One Count & Forfeiture Allegation

) County of Offense: Rensselaer

THE GRAND JURY CHARGES:

COUNT ONE

[Possession with Intent to Distribute a Controlled Substance (Cocaine Base)]

On or about June 26, 2018, in Rensselaer County in the Northern District of New York, the defendant, **MELVIN NELSON**, knowingly and intentionally possessed with intent to distribute a controlled substance, in violation of Title 21, United States Code, Section 841(a)(1). That violation involved 28 grams or more of a mixture and substance containing a detectable amount of cocaine base, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B).

FORFEITURE ALLEGATION

1) The allegations contained in Count One of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853.

2) Pursuant to Title 21, United States Code, Section 853(a), upon conviction of an offense in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B), the

defendant, **MELVIN NELSON**, shall forfeit to the United States of America any property constituting, and derived from, any proceeds obtained, directly and indirectly, as the result of such offense and any property used, and intended to be used, in any manner and part, to commit, and to facilitate the commission of, the offense.

- 3) If any of the property, as a result of any act or omission of the defendant:
- a. Cannot be located upon the exercise of due diligence;
 - b. Has been transferred or sold to, or deposited with, a third party;
 - c. Has been placed beyond the jurisdiction of the court;
 - d. Has been substantially diminished in value; or
 - e. Has been commingled with other property which cannot be divided without difficulty;

the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

Dated: April 11, 2019

A TRUE BILL. Name redacted

Grand Jury Foreperson

GRANT C. JAQUITH
United States Attorney

By:


Ashlyn Miranda
Assistant United States Attorney
Bar Roll No. 700759